LEMON GROVE CITY COUNCIL AGENDA ITEM SUMMARY

Item No.1.G.Mtg. DateJune 16, 2015Dept.Development Services	
Item Title: Approval of Vernon Ranch Final N & 7024 Mount Vernon Street	Tap for Tentative Map TM0052 located at 7012
Staff Contact: Tamara O'Neal, Interim City Eng	jineer
Recommendation:	
Adopt a resolution (Attachment A) approving authorize the City Clerk to accept the Offer of D	
Item Summary:	
On November 6, 2007, the City Council adopted Tentative Map TM0052 for the 1.55 acre parcel Lemon Grove.	
Mt. Vernon – Lemon Grove, LLC, the owner of sa for the proposed subdivision and requests approva is currently under construction. Performance bor ensure that conditions of approval are met and the the Planning Commission.	al of the Final Map for TM0052. The development ands and subdivision agreements are in place to
If adopted, the Resolution (Attachment A) will and accept the Offer of Dedication.	uthorize the City Clerk to execute the Final Map
Fiscal Impact:	
Regional Transportation Congestion Improvement City is accepting one additional street light and roa	City will receive \$2,310 in accordance with the Program (RTCIP) and \$900 in parkland fees. The adway infrastructure in the form of additional street expenditure of funds for routine maintenance and
Environmental Review:	
■ Not subject to review	□ Negative Declaration
Categorical Exemption, Section	□ Adopted MND ND07-07
Public Information:	
None	Notice to property owners within 300 ft.
☐ Notice published in local newspaper	Neighborhood meeting
Attachments:	
A. Resolution	
B. Planning Commission Resolution No. 07-21	

RESOLUTION NO. 2015 -

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LEMON GROVE, CALIFORNIA APPROVING A FINAL MAP FOR TENTATIVE MAP TM0052

WHEREAS, on November 6, 2007, the Lemon Grove City Council adopted Resolution No. 2748 approving Tentative Subdivision Map TM0052, as meeting the requirements of the City's Subdivision Ordinance and the California Subdivision Map Act; and

WHEREAS, the Final Map for Tentative Map TM0052 attached hereto as Exhibit 'A' has been submitted and meets the requirements as set forth in the California Government Code section 66433, et. Seq. and is now ready for approval by the City Council; and

WHEREAS, Mt. Vernon – Lemon Grove LLC, as the Developer of the project has paid all fees required by the conditions for processing of the Final Map; and

WHEREAS, the Director of Development Services and the City Engineer have found said Final Map of Tract No. 0052 substantially conforms to the conditionally approved Tentative Map, as required by the California Subdivision Map Act;

WHEREAS, the Mitigated Negative Declaration (ND07-07) was certified by City Council for Tentative Map No. 0052 on November 6, 2007.

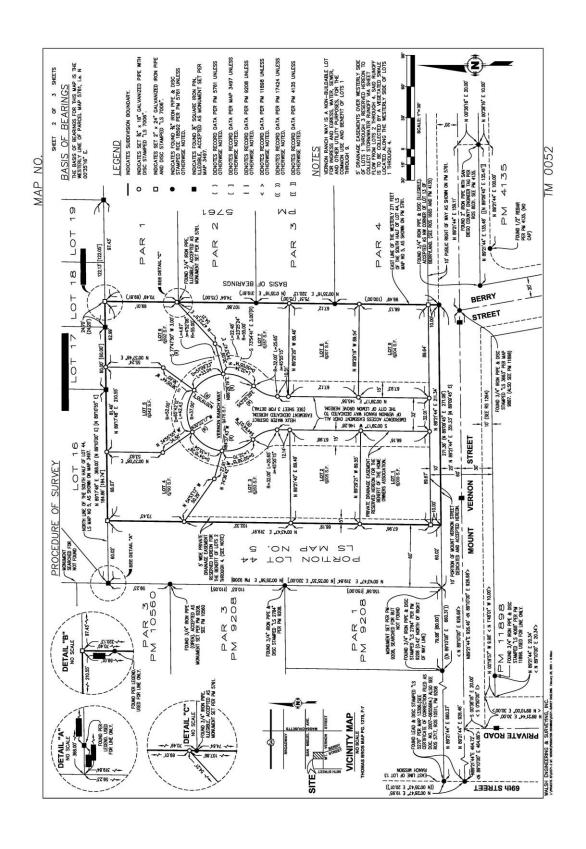
NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Lemon Grove, California hereby finds:

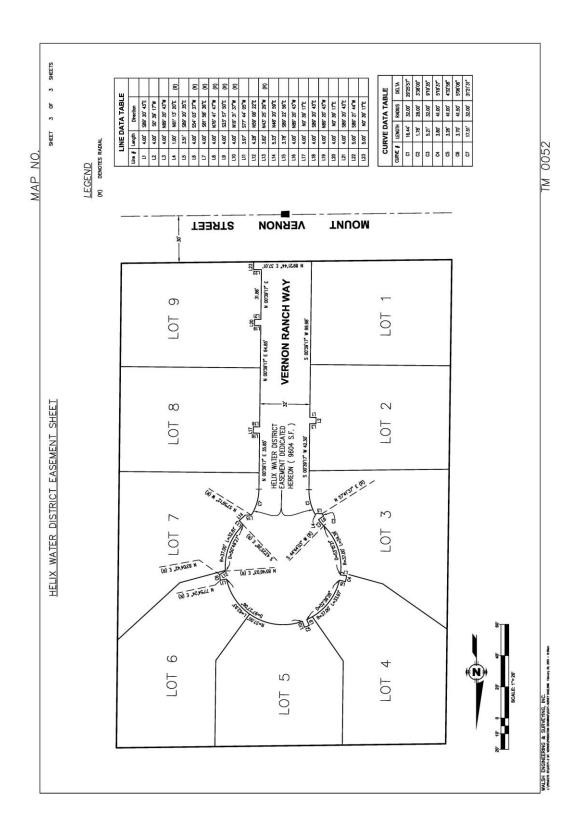
- 1. The Final Map is consistent with the General Plan, the California Subdivision Map Act, and is in substantial conformance with the previously approved Tentative Map (TM0052); and
- 2. The Final Map for Tentative Map No. 0052 is hereby approved, and the City Clerk is authorized and directed to certify this fact on the face of the Final Map; and
- 3. Offer of the dedication of real property to the City identified on the Final Map are accepted by the City of Lemon Grove; and
- 4. Authorizes the City Clerk to record a certified copy of this resolution.

/	/	/	/	/	
/	/	/	/	/	

Exhibit A

THE CONTRICT OF THE CONTRICT AND THE CONTRICT OF THE CONTRICT	OUNTY RASE	LAMPRICA WANGEAN WICH THIS MAP WAS PREPARED BY COLLEGEN HEREY CENTEY THAT THIS MAP WAS PREPARED BY CONTROLLED AND SERVER IN THE STATE OF A THEIR STATE OF THE CHARLET OF A SHOWN TO THE CHARLET OF THE CHARLET OF THE CHARLET WITH POSITIONS SHOWN HEREON, CANCUTER INCANTON THE CHARLET OF THE CHARLETS WITH POSITIONS SHOWN HEREON, CANCUTER INCANTON THE CHARLET OF THE CHARLETS WITH THE POSITIONS SHOWN HEREON, CHARLETS ON THE CHARLET WITH CHARLET OF THE CHARLETS WITH CHARLET OF THE CHARLET STATE OF THE CHARLET OF THE THIS THIS MAP THE THIS MAP THE THIS MAP THE THIS MAP THE THIS MAP THE THIS MAP THE THIS THIS MAP THE THIS MAP THE THIS MAP THE THIS THIS MAP THE THIS MAP THE THIS MAP THE THIS MAP THE THIS MAP TH
CONTANNE: 1.550 ACRES GROSS ASSESSOR'S PARCEI NUMB THIS PROCEET IS A DEVICIONMENT OR NAKE SINGLE DEVELOPMENT SERVICES DIRECTIOR'S STATEMENT 1, CAROL B. DIOC, DEVELOPMENT SERVICES DIRECTIOR 1, CAROL B. DIOC, DEVELOPMENT SERVICES DIRECTIOR 1, CAROL B. DIOC, DEVELOPMENT OF THE THAT THAT THE CAROL B. DIOC, DEVELOPMENT OF THE INDIVIDUAL WIRD SHOWN THE TRAINFALMESS. 1, CAROL B. DIOC, DIOC, DIOC, DEVELOPMENT OF THE TRAINFALMESS. 1, CAROL B. DIOC, DIOC, DIOC, DEVELOPMENT OF THE TRAINFALMESS. 1, CAROL B. DIOC, DIO	COUNTY COUNTY COUNTY DRKS ERROR ERRO	CONTRIBUTES THE REQUESTS OF THE STREAM OF STREAMS OF THE STREAMS OF THE STREAM OF THE
SUBDIVISION GUARANTEE FOR THIS SUBDIVISION IS TRINISTED BY. COANGE DEVELOPMENT SERVICES DIRECTOR'S STATEMENT OF CHENO, BODG, CHARGE OF DECISION NOT THE CHENO GROVE STATE OF CLUERONA, STITE THAT THE LEMON GROVE STATE OF CLUERONA, STITE THAT THE CHENON GROVE OF DECISION NOT THE CHENON GROVE OF DECISION NOT THE CHENON GROVE OF DECISION NOT THE CHENON GROVE OF DECISION NOT THE BETTO THE CHENON A NOTARY PHBLIC, RESISTANT OF THE PRODUCTION OF THAT DECISION TO THE CHENON A NOTARY PHBLIC, PERSONALITY OF THAT DECISION TO THE CHENON AND THAT PHBLIC, RESISTANT OF THE STATE OF CHENON THE PERSON(S), WITH STAN AND AND AND AND THE STATE OF CHENON THE PERSON(S), WITH STAN AND AND THE STAN AND THE PERSON(S), WHE DETTY UPON BEALT, OF WHICH THE SAME OFFICIAL OF WHICH THE AND THE STAN AND THE THE SERVING OFFICIAL OF WHICH THE AND THE STAN AND THE	COUNTY DRKS DRKS DRKS DRKS DRKS DRKS DRKS DRKS	THE ATTENDED TO THE SHAPE THE ATTENDED THE A
LOURCE LOWER TO SERVICE SO DIRECTORY S STATEMENT CHERR BONC TO THE STRUCTS OF THE	Н	WILL ST ALL DISH VOUNDED TO THE CANDANTS AND AT HER POWERTERS AND ALL STATES CAMPETERS AND ALL STATES AND
DARCIOLE, DOY DEVELOPMENT SERVICES DIRECTOR, A NOTARY PUBLIC OR OTHER OFFICES COMPLETING THE INDIVIDUAL WIS SERVICE BENTLY OF THE TRAINFALMESS. A CERTIFICATE, A TRAINFALLY OF THE TRAINFALMESS. STATE OF BETORE WIS NOTARY PUBLIC, PERSONALLY APPEARED WIND PROVED TO WE ON THE BESS OF ANTIFACTORY PRODUCE TO WIND PROVED TO WE ON THE BESS OF ANTIFACTORY PRODUCE TO WIND PROVED TO WE ON THE BESS OF ANTIFACTORY PRODUCE TO WIND PROVED TO WE ON THE BESS OF ANTIFACTORY PRODUCE EXCELLED THE SAME IN (46)-KHEY/THEN) AUTHORIZED CAPACITY(CES) THE COLLISIONAL WAS ACCOUNTED THE WEST OF WHICH THE PERSON(S), CHET DETENT UPON BENALO OF WHICH THE AND CORPECT. AND CORPECT. AND THE OFFICE THE SAME WIND STATE AND THE OFFICE THE SAME WIND STATE AND CORPECT. AND THE PRODUCE THE SAME WIND STATE AND CORPECT OF BESINESS IS COMITY OF MY PROMISSION & OF NOTARY	ANAMEST HE, TRACT OR SUBJUNGON OR ANY ARTH THEREOF SHOWN ON THE BOARS OF DAY OFFICES ANAMEST THE TRACT OR SUBJUNGON OR ANY ARTH THEREOF SHOWN ON THE AMERICAN AND DESCRIBED IN THE CAPTON THEREOF. DATE	I HERBY STAT THAT THE MAP SHESTAMFALLY COUTHON'S TO THE APPROVED DESTAMFE WAS IT ANY. CITY ENGINEER'S CERTIFICALE STATE THAT I HAVE EXAMED THE MAP. STATE THAT I HAVE EXAMED THE MAP. THAT THE MAP STATE THAT I HAVE EXAMED THE MAP. THAT THE MAP STATE THAT I HAVE EXAMED THE MAP. THAT THE MAP STATE THAT I HAVE EXAMED THE MAP. THAT THE MAP STATEMEN HAVE BEEN COMPLED WHEN AND THE STATEMENT ALL PROVISINGS OF THE STABMINGS OF THE COUPT OF CLEHON GROVE, HAVE BEEN COMPLED WHEN, AND THAT HES MAP AND COOL, DROINING. AND COOL DROINING.
A NOTARY PUBLIC OR DUEST OFFICED COMPLETING THE INDIVIDUAL WEB SERVED THE DOCUMENT OF THE INDIVIDUAL WEB SERVED THE DOCUMENT OF THE TRAINFALMESS. ACCURACY, OR VALIDITY OF THAT DOCUMENT. STATE OF THE TRAINFALL OF THAT DOCUMENT. STATE OF THE TRAINFALL OF THAT DOCUMENT. BEFORE WE THE BASS OF SATISFACTORY ENDEDING TO BE ON THE BESTORE WE AND PROPERTIES TO BE THAT THE OFFICE TO AND THE SAME IN (HE) SAFET THE OF CALLIFORM THE TREATMENT UPON BEALE OF WHICH THE TREATMENT OF SAME THE SAME IN SAFET THE SAME IN (HE) SAFET THE OF CALLIFORM THAT THE FORECOME PARAGRAPH IS TRUE AND CORRECT THE SAME IN SAME IN SAME SAM	BY: BY: RICHARD E, CROMPTON, PUBLIC WORKS DRECTOR BY: FOR DRECTOR HELLX WATER DISTRICT ACCEPTANCE CERTIFICATE HELLX WATER DISTRICT ACCEPTANCE CERTIFICATE HELLX WATER DISTRICT ACCEPTANCE CERTIFICATE HELDX WATER DISTRICT ACCEPTION OF WATER WAS BROUND HAM, WHE DAND OF DESCRIPTION OF THE UNDERSAMENT OFFICER ON BRUAKE OF THE BAND OF DIRECTORS PHIRALMAT TO THE OFFICER ON BRUAKE OF THE BAND OF DIRECTORS PHIRALMAT TO THE RECORDAND WIFERED BY THE DAY OF DIRECTORS PHIRALMAT TO THE BAND HIS CONTRACTOR OF THE DAY OF THE D	LAWERICE W. WALSH, PLS 7006 DATE TANNING TO ELEMP THE TANNING THE
A NOTARY PUBLIC OR OTHER OFFICER COMPLETION THE INDICATOR HEROPEST OF THE TRANSPORT TO WHICH THE CERTIFICATE IS A NOTARY PUBLIC OR OTHER PROCESS. STATE OF COUNTY OF THAT DOCUMENT. A NOTARY PUBLIC, PERSONALLY APPEARED WHO PROVED TO ME ON THE BASS OF SATISFACTORY ENVERORG TO WE ON THE ERSONAL AND ANOTARY PUBLIC, PERSONALLY APPEARED WHO PROVED TO BE ON THE BASS OF SATISFACTORY ENVERORG TO THE ESTATE OF SATISFACTORY ENVERORG TO THE OFFICE AND ANOTARY PUBLIC, PERSONAL AND	PY: POR DIRECTOR HELLX WATER DISTRICT ACCEPTANCE CERTIFICATE WAS DEBOARD TO HELD WATER DISTRICT, SI CARE) HEREN ACCEPTO AND RESERVE OF HEREN ACCEPTOR MATHERITY CONTRIBUTED BY BOARD RESQUITION NO. 12-11, ADOPTOR RECORDANIAN HEREOF BY TIS DALY AUTHORIZED OFFICER. DATED THIS. DATE.	CITY ENGINEER'S. CERTIFICATE LUCK RESHIT OF BROKER OF the OTY OF LUCK GROVE. STATE THAT I HAVE EXAMED THIS MAP, THAT I HAVE THAN THE MAP. STATE THAT I HAVE EXAMED THIS MAP. THAT I HAVE THAN THE MAP. STATE THAT I HAVE EXAMED THE STATE OF THE CONTROL OF THE OTHER OF THE STATE OF THE STATE OF THE STATE OF THE OTHER OF THE OTHER OTH
A NOTARY BUELON OF THE CREEK CHAIR CHARLEN HIS CASTRICALLY GREEK DAY, THE LIDENTY OF THE REPRESENCE ACCURACY, OR WALDITY OF THAT TOCAMENT. STATE OF CASTRICALLY APPLICATION OF THAT TOCAMENT. A NOTARY PUBLIC, PERSONALLY APPLICATION OF THAT TOCAMENT. WHO PROVED TO JUE ON THE BASS OF SATISFACTORY EVIDENCE TO BESTORE HE PERSONALLY APPLICATION OF THAT TOCAMENT. BESTORE HE PERSONALLY OF PERSONAL VECTOR OF THE SATISMATH THE PERSONALS, OF THE PERSONALS, OF THE PERSONALS, OF THE PERSONALS, OF THE PERSONAL OF THE TOCAMENT. INTERIOR OF CALLIDORNAL THAT THE FORECOME PARAGRAPH IS TRUE. WITHOUT AND THAT THE PERSONAL PERSONAL THE PERSONAL APPLICATION. AND CORRECT THE TOWARD THE TOPECOME PARAGRAPH IS TRUE. AND TOWARD THE TOWARD THE TOPECOME PARAGRAPH IS TRUE. AND TOWARD THE TOWARD THE TOPECOME PARAGRAPH IS TRUE. AND TOWARD THE TOWARD THE TOPECOME PARAGRAPH IS TRUE. AND TOWARD THE TOWARD THE TOPECOME PARAGRAPH IS TRUE. AND TOWARD THE TOWARD THE TOPECOME PARAGRAPH IS TRUE. AND TOWARD THE TOWA	HELIX WATER DISTRICT ACCEPTANCE CERTIFICATE THE ST DISTRICT ACCEPTANCE CERTIFICATE WE TO CHRIT HAT THE EASTERNIES AS SHOWN ON THIS MAP WE THE OWN THE DISTRICT SHOWN OF WELL WESTERN ACED TO WE THE OWN THE OWN OF THE BADD OF DISTRICTS CHRISTANT OF THE AUTHORNY CONTENSED BY BOARD RESOLUTION NO. 12-11, ADDRESS RECORDANION HERGE BY ITS DALY AUTHORIZED OFFICER. MATERIAL SHOWN OF	USBIANILLA, PREVENCE TO ESTABLISHED THE CONTINUAL PREVENCE ALL PROVISES OF THE STRENGED ORDINALCE OF THE CITY OF CLARGES WITH THE SEX COMPLETO WITH, AND THAT THIS TAKE CONTINUES WITH THE SEX COMPLETO WITH, AND THAT THIS TAKE CONTINUES WITH THE CONTINUES WITH THE CONTINUES OF THE SUBDIVISION WAS PACT.
STATE OF COUNTY OF THAI DO THA	AND IS TO CRAFF THAT THE EXPENSIVELYS AS SOME ON THIS MAP AND DEDOLATION OF HELD WATER DISTRICT, IS CARE THEREW ACCOUNT OF THE AND OF OTHER OFFICE THE AND OTHER OFFICE OFFICE AND OTHER OFFICE OFFICE OTHER	AND LOCAL ORDINANCE.
A NOTARY PUBLIC, BETORGE M. A NOTARY PUBLIC, BETORGE M. WHO PRODOZI TO ME ON THE BUSS OF SHITEACTION FRODUCE TO WE ON THE BUSS OF SHITEACTION FRODUCE TO WHO WHIN SETEMBATH AND ACADOMICIDED TO ME THAT (ME, 2942, THEY BUSH BETSON(S), ACTED, DEFENDING, DAMPERSON OF THE SHERON(S), ACTED, DECENTED THE INSTRUMENT PERSON(S), ACTED, DECENTED THE INSTRUMENT AND CORRECT, TOWN AND OFFICIAL OF SHERIFFE AND CORRECT, TOWN AND OFFICIAL SHALL AND THE AND CORRECT, TOWN AND THE SHALL AND THE AND AND CORRECT, TOWN AND THE SHALL AND THE AND AND CORRECT, TOWN AND THE SHALL A	RECORDATION THEREOF BY ITS DULY AUTHORIZED OFFICER. DATED THIS	
BE THE PERSON(S) WHOSE NAME(S) SEY ASSESSMENT TO BE THE PERSON(S) WHOSE NAME(S) SEARCH FUNDEDC TO BE THE PERSON(S) WHOSE NAME(S) SEARCH PERSON SEARCH PERSON(S) WHICH SEARCH NO ACKNOWLEDGED TO ME THIN (RE./SEA/THEE) VARIABLES DEVALENCED TO BE THE SEARCH S		LEON FIRSHT, CITY ENGINEER DATE
AND THAN BY ORGANITHENESS ON THE MENTIONENESS OF THE PERSONS, OF THE DETENT UPON BEALT, OF WHICH THE PERSONS, OF THE STATE OF CALLIFORNIA THE	BY: JAMES A. TOMASULO, DIRECTOR OF ENGINEERING HELIX WATER DISTRICT	I, MICHAEL A, HAVENER, SURVEY CONSULTANT TO THE CITY OF LEACH GROVE, STATE THAT I HAVE EXAMINED THIS FINAL MAP AND
THE CONTINUES WY HAND AND OPPICAL SEAL SIGNATURES WY HAND AND OPPICAL SEAL SIGNATURE PRINT HAME A NOTARY PUBLIC IN AND FOR SAID STATE WY COMMISSION & OF NOTARY COMMISSION & OF NOTARY	CITY FINANCE DIRECTOR'S STATEMENT I, CATH TILL, OTH FINANCE DIRECTOR FOR THE CITY OF LEWIN FORCE TO LIESEN FORTER ARE NO LIESEN THE CONCENTRATION OF THE CITY OF T	THAT I AM SATISFIED THAT IT IS TECHNICALLY CORRECT.
SIGNATURE A NOTARY PUBLIC IN AND FOR SAID STATE MY PRINCIPAL, GO BUSINESS IS COUNTY OF MY COMMISSION & OF NOTARY COMMISSION & OF NOTARY	WORKE, DO HERED CRAINT THAT INERS, THE NO UNIVAID LENS, SPECIAL ASSESSMENTS OR BONDS WHICH MAY BE PAUD IN FULL SHOWN BY THE BOOKS FOR THE CITY OF LEAUN GROVE AGAINST THE TRACT OR SUBDIVISION OR MAY PART THEREOF SHOWN ON THE ANNEXED MAP AND DESCRIBED IN THE CAPTION THEREOF.	MICHAEL A, HAVENER, PLS 7354 DATE SURVEY CONSULTANT TO THE CITY OF LEMON GROVE
MY PRINCIPAL PLACE OF BUSINESS IS COUNTY OF WY COMMISSION & OF NOTREY	GARY TILL SATE ENLANCE NEEKTED AND DE FELIAN POOLE	CLERK OF THE BOARD OF SUPERVISORS, I, THOMAS J, PASTUSZKA, CLEKA OF THE BOARD OF SUPERVISORS, HEREBY CERTIFY THAT THE PROVISIONS OF THE SUBDIVISION MAP
NY COMMISSION EOPRES	GIT FRANCE DIRECTOR, GIT OF LEMON GROVE	ACT (DIVISON 2 OF TIME 7 OF THE GOVERNENT CODE) RECARDING (-) DEPOSITS FOR TAKES, AND (b) CERTIFICATION OF THE ABSENCE OF LIENS FOR UNPAID STATE, COUNTY, MUNICIPAL OR
	CITY CLERK'S CERTIFICATE I. SUSAN GARCIA, CITY CLERK OF THE CITY OF LEMON GROVE.	LOCAL, TARS OR SPECIAL ASSESSMENTS COLLECTED AS LARES EXCEPT THOSE ON SPECIAL ASSESSMENTS COMPLED WITH. THOMAS PASTILISTA.A.
ĺ	CALIFORNIA HERBY CREINFY THAT BY RESOLUTION NO. COUNTING SAID CITY HAS APPROVED THIS MAP, AND HAS ACCEPTED ON BETALG OF THE PUBLIC THAT PORTING OF MOUNT VERNON CREET AS SHOWN ON THIS MAP AS METL AS THE BIGHTS TO CONSTRUCT	CLERK OF THE BOARD OF SUPERVISORS
	AND MANTAN SLOPES AND DRANKAGE IMPROVEMENTS AS REQUIRED RETYOND SAND DEDIGATIONS FOR THAT PORTION OF THIS SUBDIVISION DRANKING ON MOUNT VERNOR STREET AND WITHIN THE PROPERTY.	RECORDER'S CERTIFICATE
THE SORAL/HIEES, DAMITIED. THE SORALINES OF THE PARTIES LISTID BLUM, OWNERS OF THE PARTIES OF T	IN WINESS WEREOF, SAID COUNCIL HAS CAUSED THESE PRESENTS TO BE EXCLUTE BY THE CITY CLERK AND ATTESTED BY ITS SEAL THIS TO BY OF "	
DERO OTY WATER OF THE USES AN AGRILLOUS OF THE SAM DERO OTY TLUBE COMPANY. IN SASIONS OF SUCCESSINGS, THE PASSED TO AND IS NOW VESTED IN HELIX WATER DESIRECT.	SUSAN GARCIA DATE CITY CLERK	FIT: \$12.00 ETRES1 3. URUNENBERG, 44, COUNTT RECORDER BY DEPUTY COUNTY RECORDER





RESOLUTION NO. 2748

RESOLUTION OF THE LEMON GROVE CITY COUNCIL APPROVING TENTATIVE SUBDIVISION MAP TM0052 SUBDIVIDING 1.55 ACRES OF LAND INTO NINE LOTS AND A PRIVATE STREET AND CERTIFYING THE ATTACHED MITIGATED NEGATIVE DECLARATION (ND07-07) LOCATED AT 7012 & 7024 MOUNT VERNON STREET, LEMON GROVE, CALIFORNIA

WHEREAS, the applicant, Randall McManus, filed a complete application for a Tentative Map on August 9, 2007 to authorize the subdivision of 1.55 acres of land on two parcels into nine lots and a private street as part of a Planned Development for the construction of nine single-family residential dwelling units located at 7012 & 7024 Mount Vernon Street; and

WHEREAS, a Mitigated Negative Declaration of Environmental Impact (ND07-07) will be filed subsequent to its adoption and the approval of the proposed project; and

WHEREAS, a public hearing was duly noticed and held by the Lemon Grove Planning Commission on September 24, 2007; and

WHEREAS, on September 24, 2007, the Planning Commission recommended that the City Council approve the proposed subdivision and planned development. The Planning Commission amended the resolutions of approval to include the following:

- New wooden fencing shall be required around the perimeter of the subdivision.
- The wood fence to be located along the western side of the subject property shall be limited to five-feet in height to the satisfaction of the Community Development Director.
- The existing utility pole located in the southeast corner of the subject property within the Mt. Vernon Street right-of-way is required to be placed underground.
- The fences located on the south side of Lots 1 and 9 shall be limited to 42 inches in height from the front property line a distance of 31 feet toward the rear property line of said lots and shall not exceed six feet in height beyond this point.

WHEREAS, a public hearing was duly noticed and held by the Lemon Grove City Council on November 6, 2007; and

WHEREAS, the City Council finds that the tentative map is consistent with the Lemon Grove General Plan because it proposes nine dwelling units at a density of 6.98 dwelling units per acre on 1.29 net acres of land in the Low/Medium Density Residential land use designation of the Lemon Grove General Plan which allows a maximum of seven dwelling units per net acre; and

WHEREAS, the City Council finds that the tentative map complies with the findings of fact required to approve this project because the project complies with the time limitations of the State Subdivision Map Act; the existing lots are legal lots; the proposed subdivision creates more than 5 lots; the proposed subdivision complies with the requirements of the Subdivision Ordinance; the map and design or improvements

are consistent with applicable general and specific plans; the site is physically suitable for the type of development and for the proposed density of development; and

WHEREAS, the City Council has considered said Tentative Map and recommendations of the Community Development Department, City Engineer, and the Lemon Grove Fire Department with respect thereto and has determined that the conditions hereinafter enumerated are necessary to insure that the subdivision and the improvements thereof will conform to all ordinances, plans, rules, and improvement and design standards of the City of Lemon Grove; and

WHEREAS, the City Council has also considered Planned Development Permit (PDP06-005), site, architectural and landscape plans dated received August 9, 2007 associated with Tentative Subdivision map TM0052; and

WHEREAS, in accordance with Section 16.12.280 of the Lemon Grove Municipal Code, the City Council finds that it is impractical for this subdivision to conform fully to the requirements of the Subdivision Ordinance because the proposed waivers result in a better project. Modifications granted as part of the approval of this project are found to conform to the spirit and purpose of the Subdivision Map Act and of the Subdivision Ordinance of the Lemon Grove Municipal Code; and

WHEREAS, the City Council has reviewed the design of the proposed subdivision and waives the following requirements of the City Zoning Ordinance in order to accommodate the proposed subdivision pursuant to Municipal Code Section 16.12.280 and Government Code Section 65915:

- A modification of Section 17.16.020D3a (Minimum Front Yard) to allow the proposed lots to have reduced minimum front yards (ranging from 20 to 23 feet) as specified in the Development Code because said modification is necessary to allow for varied front yards, a unique streetscape design and increased private open space and rear yard areas; and
- A modification of Section 17.16.020D2 (Minimum Lot Width and Depth) to allow lots 3 and 7 to have reduced minimum lot depths as specified in the Development Code because said modification is necessary to provide a private cul-de-sac street in the limited site area (90 feet is required, 79 feet is proposed); and
- 3. A modification of Section 17.24.050C1 (Screening) to allow six-foot high fences within the street side yard setback area along Mount Vernon Street for Lots 1 and 9 excluding the front 31 feet from the front property line to provide added privacy and security to the residents of said lots.

WHEREAS, the City Council hereby makes the following findings of fact:

- The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat because the property has no environmentally protected resources as discussed in the Mitigated Negative Declaration; and
- 2. The proposed Tentative Subdivision Map (TM0052) is consistent with the Residential Low/Medium density land use designation of the Lemon Grove General Plan which allows a maximum of seven dwelling units per net acre. The project proposes nine dwelling units at a density of 6.98 dwelling units per acre on 1.29 net acres of land; and

- 3. The site is physically suitable for the proposed density of development because public utilities will be available to serve the proposed project; and
- The design of the subdivision or the type of improvements will not cause serious public health problems because public sewer services will be provided to the subdivision; and
- The design of the subdivision or type of improvements do not conflict with easements, acquired by the public at large, for access through, or use of property within the proposed subdivision as defined under Section 66474 of the Government Code, State of California; and
- The design and improvements of the proposed subdivision map complies with the requirements of the State Subdivision Map Act and the City of Lemon Grove Subdivision Ordinance except as specifically modified by the City Council; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lemon Grove, California, that the following be directed:

SECTION 1. Adopt the Mitigated Negative Declaration (ND07-07) finding that TM0052 and PDP06-005 would have no significant effect on the environment as mitigated; and

SECTION 2. Grant the following modifications of certain requirements of the City Subdivision Ordinance and General Plan in order to accommodate an aesthetically pleasing and desirable design of this project:

- A modification of Section 17.16.020D3a (Minimum Front Yard) to allow the proposed lots to have reduced minimum front yards as specified in the Development Code because said modification is necessary to allow for varied front yards and a unique streetscape design. The developer requests a modification for reductions in the front setback (25 feet is required, 20 to 23 feet is proposed); and
- A modification of Section 17.16.020D2 (Minimum Lot Width and Depth) to allow the proposed lots to have reduced minimum lot depth as specified in the Development Code because said modification is necessary to provide a private cul-de-sac street in the limited site area. The developer requested modifications for reductions in the lot depth (90 feet is required, 79 to 90 feet is proposed); and
- 3. A modification of Section 17.24.050C1 (Screening) to allow six foot high fences within the street side yard setback area along Mount Vernon Street for Lots 1 and 9 excluding the front 31 feet from the front property line to provide added privacy and security to the residents of said lots.

SECTION 3. Approve Tentative Map TM0052 and the grading, site, landscape and architectural plans dated received August 9, 2007 and incorporated herein by reference as Exhibit A, except as noted herein, subject to the following conditions which shall be complied with before a final map thereof is approved by the City Council and filed with the County Recorder of San Diego County.

- A. PRIOR TO ISSUANCE OF ANY GRADING OR IMPROVEMENT PERMIT:
 - Obtain approval of all required discretionary permits for Tentative Map (TM0052) and Planned Development Permit (PDP06-005).
 - Submit and obtain approval of a Standard Urban Stormwater Mitigation Plan (SUSMP) for the proposed project to the satisfaction of the Water

Quality Program Coordinator and the City Engineer. The SUSMP shall be completed and approved prior to the issuance of any other permits.

- Submit and obtain approval of the grading plan to the satisfaction of the City Engineer.
- 4) The subdivider shall submit improvement plans and specifications with applicable fees for improvements of all streets, access and drainage easements, culverts, drainage structures and drainage channels to the City Engineer for approval which includes off-site improvements (if applicable).
- 5) The improvement plans shall include a detail of the curb outlet to the satisfaction of the City Engineer.
- 6) If the improvement plans show a need to excavate in any public road right-of-way, the developer shall place a cash deposit with the City Engineer to insure any damage to the existing roadway or other public improvements are repaired in a timely manner.
- 7) The applicant shall submit sewer lateral plans with the improvement plans. These sewer lateral plans shall be submitted in digital format and on paper copies to the satisfaction of the City Engineer.

B. PRIOR TO APPROVAL AND RECORDATION OF A FINAL MAP:

Public Improvements

- The subdivider shall provide proof satisfactory to the Director of Public Health that there exists an adequate potable water supply available to each lot or parcel, and that the subdivider install or agree to install water supply pipes of a minimum six inches in diameter, provided that the City Engineer may require such other diameter of water supply pipe as may be recommended by Helix Water District.
- 2) Grade streets to grades and widths required by the City standards.
- 3) The existing utility pole located in the southeast corner of the subject property shall be removed. All existing overhead utilities located within the Mount Vernon Street right-of-way abutting the subject property shall be placed underground.
- 4) All new utility distribution facilities, including cable television lines, within the boundaries of any new subdivision or within any half street abutting the new subdivision shall be placed underground. The subdivider shall coordinate with the necessary cable television operators for the installation of such facilities. Transformers, terminal boxes, meter cabinets, pedestals, concealed ducts, and other facilities necessarily appurtenant to such underground utilities and street lighting systems may be placed above ground unless directed otherwise by the City Engineer. All proposed structures on the subject property shall connect to the utility systems via underground systems.
- 5) The subdivider shall construct or shall cause to be constructed, at no cost to the City, a street lighting system conforming to City standards.

- 6) Street alignments and grades, including the change of any existing or proposed street alignment and grade, shall be as required by the City Engineer.
- Provide construction improvement plans with applicable fees and construct the public improvements along Mount Vernon Street as proposed in the Grading and Landscape Plan to the satisfaction of the City Engineer prior to issuance of building permits. Improvement permit work shall include the full width replacement of the pavement section on the Mount Vernon Street frontage, public improvements shown on the Grading Plan within the City right-of-way and roadway easements, and other improvements incidental to the proposed street improvements as required and modified by the City Engineer.
- Obtain an encroachment permit for the installation of private utilities and/or for grading work in/or adjacent to the public right-of-way.
- 9) The installation of gas, electric, sewer, and water lines and any other below surface utilities is required to take place before the installation of any concrete curbs, gutters, sidewalks, and surfacing of the streets (including repair or replacement).
- The structural pavement section for the private street located on the subject property shall be based on the soils report prepared by a Geotechnical Engineer to the satisfaction of the City Engineer and consistent with the City of Lemon Grove Private Street Standards.
- 11) Sight distance requirements along streets and at all intersections shall conform to the intersectional sight distance criteria as provided by the American Association of State Highway Officials in the publication "Geometric Design for Local Roads and Streets 1971" or as revised.
- 12) All public streets curb return radii shall be a minimum radius acceptable to the City of Lemon Grove Fire Chief and City Engineer.
- 13) The subdivider shall provide the City Engineer with letters from the serving utility companies stating that arrangements satisfactory to the utility have been made to serve all parcels created. No letter will be required from the Pacific Bell Telephone Company.
- Submit an Encroachment Maintenance and Removal Agreement to be reviewed and approved by the City Engineer for the work along Mount Vernon Street within the City right-of-way or roadway easements, to include, but not be limited to: planters, landscaping and irrigation, sidewalks and driveway approaches. The use of non-standard improvements within the City right-of-way along Mount Vernon Street will be required to be reviewed and approved by the City Engineer as part of the Encroachment Maintenance and Removal Agreement.
- 15) The developer/owner shall be required to repair and/or replace any damaged public improvements fronting the project.
- On-street parking is allowed along one side of the proposed private street and along the Mount Vernon Street frontage west of the proposed private street. Parking will be prohibited along the Mount Vernon Street frontage east of the proposed private street for adequate vehicular line of sight or

as modified by the City Engineer. The prohibited parking area shall include signage and curb markings to the satisfaction of the City Engineer. The prohibited parking area shall be marked and posted "No Parking" and the appropriate curbs shall be painted red to the satisfaction of the City Engineer.

17) Dense fast growing landscaping shall be installed within the public rightof-way fronting Mount Vernon Street between the sidewalk and the south
property lines of lots 1 and 9 to the satisfaction of the Community
Development Director. No plant species over three and one-half feet in
height shall be installed in the landscaped right-of-way along the Mount
Vernon Street frontage east of the proposed private street to provide
adequate vehicular line of sight to the satisfaction of the City Engineer.

Sanitary Sewer Service

- 18) Each dwelling unit of the proposed subdivision shall be connected to a sewer of the Lemon Grove Sanitation District.
- Backflow prevention devices for private building sewers shall be required pursuant to Section 710.0 of the CBC (2000 UPC).
- Submit a copy of Title Report as required.
- 21) Obtain sewer permits and pay capacity fees for seven dwelling units or as modified by the Lemon Grove Sanitation District prior to building permit issuance.
- 22) The subdivider shall provide easements for all proposed sewer facilities as required by the Lemon Grove Sanitation District. The location of the proposed sewer facilities shall be as required by the Lemon Grove Sanitation District.
- 23) The sewer main on the proposed private road for this project shall be designated as private, not public as indicated on the plans. A combination private sewer, drainage and street maintenance agreement must be signed and notarized, then submitted for review and approval by the City Engineer. The agreement will be recorded as required by the City of Lemon Grove. The sewer system is required to be maintained and repaired by the Home Owner's Association for this development as required by the Lemon Grove Sanitation District.

Drainage Requirements

- The subdivider shall prepare construction plans and construct drainage facilities in accordance with the Drainage and Hydrology Study prepared for the project to the satisfaction of the City Engineer.
- 25) Provide the City with a final drainage/hydrology report indicating that the site design is in accordance with the report and the National Pollutant Discharge Elimination System (NPDES) permit. On-site drainage shall be in compliance with the NPDES permit.
- 26) The Developer, Current and Future Property Owners shall adhere to the recommendations of the requirements of the Standard Urban Stormwater Mitigation Plan (SUSMP) prepared for this project to the satisfaction of the Water Quality Program Coordinator.

- 27) The applicant shall in a manner meeting the approval of the City Engineer, design provisions for surface drainage and design all necessary storm drain facilities extending to a satisfactory point of disposal for the proper control and disposal of storm runoff. All necessary easements for storm drains shall be obtained and recorded on the final map.
- 28) Prior to issuance of building permits, incorporate best management practices including site design, source control and treatment, construction and on-going maintenance identified in the SUSMP and Drainage Report.
- 29) Prior to Final Map recording, a maintenance agreement for the maintenance of all onsite drainage improvements shall be established to the satisfaction of the City Engineer.

Grading

- 30) The subdivider shall submit grading plans and a grading permit application to the City Engineer. Grading plans shall be prepared by a registered civil engineer and approved before or concurrently with the approval of the improvement plans. The developer shall submit an erosion and sediment control plan with construction Best Management Practices (BMPs) for review and approval by the Water Quality Coordinator which will be required to be abided by during grading activities.
- 31) Building permits shall be submitted with the grading plans for retaining walls where required. Except as noted in this condition, building permits shall be termed building permits for post-grading activities in the resolutions approving this project.
- 32) Submit a truck routing plan for grading activities concurrent with the submittal of the grading plan and grading permit application if required by the City Engineer.
- 33) The developer/owner shall submit an erosion control plan and irrigation plan with a sediment control plan to the satisfaction of the City Engineer.
- 34) The contractor/permittee conducting any earth moving operation shall be responsible for controlling dust created by its grading operation or activities at all times.
- 35) Certification that the as-built grading is consistent with Municipal Code Section 18.08.380 shall be submitted prior to issuance of building permits.
- 36) All grading permit fees and deposits shall be paid and all actions necessary preceding the issuance of the grading permit shall be completed prior to recording the final map.
- Obtain a major grading permit from the City prior to any grading activities and recordation of the final map.
- 38) Provide the City with, upon completion of the grading, a compaction report from the geotechnical firm and a letter from a licensed civil engineer that the grading and elevations of the pad were done in accordance with the approved grading plans prior to the issuance of building plans.

- 39) Provide the City with, upon completion of the paving, a letter from the geotechnical firm or a licensed civil engineer that the structural pavement section was constructed in accordance with the geotechnical report prior to the issuance of final occupancy.
- 40) Prior to grading activities, grading plan approval and building permit issuance, a final soils report, with a recommendation for pavement thickness on all proposed paved surfaces, is required to be submitted, reviewed and approved by the Building Department and City Engineer.
- 41) The development and preparation of the site shall conform to the soils and geotechnical reports submitted to the City.
- 42) A designee of the applicant shall conduct a cultural resources records search and a Sacred Lands File search of the project area to determine if there is likelihood for on-site Native American cultural resources. A copy of a letter regarding the records search shall be provided to the Community Development Department prior to issuance of grading or improvement permits. The report shall provide recommendations for further analysis and those recommendations shall be implemented as a part of the mitigation measures.
- 43) If cultural resources are discovered during site preparation and/or grading, then any further work shall cease and programs and procedures shall be initiated as outlined in CEQA guidelines 15064.5.

Fire Protection

- 44) The subdivider shall grant to the appropriate agency by recorded documents all required easements, specifically all on-site water main easements that serve fire hydrants, or furnish a letter from said agency that none are required.
- 45) Each dwelling unit in the development shall be protected with an approved NFPA 13D automatic fire suppression sprinkler system to the satisfaction of the Fire Marshal.
- 46) The cul-de-sac and one side of the proposed private road shall be designated as a Fire Lane with no parking. Fire lane markings shall be provided to the satisfaction of the Lemon Grove Fire Department along the private street within the project. The fire lane will be designated per City Fire Department standards and shall be marked and posted "No Parking-Fire Lane" and the appropriate curbs shall be painted red to the satisfaction of the City of Lemon Grove Fire District. A final inspection by the Fire Department shall be required to confirm compliance with this requirement prior to the construction with combustible materials and final occupancy.
- 47) The project shall comply with all applicable provisions of the California Fire Code and the California Building Code.

Lighting

- 48) A deposit sufficient to cover one year operation costs for the initial operation costs expended by the Lighting District for the subject property shall be submitted until the lots are placed on the Tax Assessor's yearly statement.
- 49) The street lights of the development shall become a part of the Lemon Grove Lighting District as required.
- 50) As-built drawings shall be submitted to SDG&E to energize all of the required street lights.
- 51) A formal written request to add street lights to the Lemon Grove Lighting District shall be submitted to the City of Lemon Grove Lighting District prior to permanent energizing.
- 52) Install the proposed street lights to the satisfaction of the City Engineer. Contact SDG&E for installation and billing requirements.

Final Map

The final map shall show or provide for the following:

- 53) The design and area of all lots and the design of the final map shall be in substantial conformance to that shown on the approved tentative map to the satisfaction of the Community Development Director.
- 54) The final map shall include the entire area shown on the tentative map and shall not be filed as units. Lot numbering and design on the final map shall be in substantial conformance to that shown on the approved tentative map.
- 55) The final map shall indicate that this project is a development for nine single-family lots each with one dwelling unit.
- 56) The final map shall include the signature of the Community Development Director prior to recording.

Other

- 57) A Homeowners' Association (HOA) shall be created to manage the Covenants, Conditions and Restrictions (CC&Rs). Said CC&Rs shall be submitted to the City for review and shall be written to the satisfaction of the Community Development Director and the City Engineer. The CC&Rs shall include the requirements of the Private Street, Sewer and Drainage Maintenance Agreement, the SUSMP and the Drainage Report approved for this project and all other HOA requirements to the satisfaction of the Water Quality Program Coordinator, City Engineer and Community Development Director and shall be recorded concurrent with the final map and shall include but not be limited to:
 - a. Best Management Practices (BMP's) and a Private Street, Sewer and Drainage Maintenance Agreement. The maintenance and the preservation of the natural drainage, private sewer and private street facilities shall be included in the CC&Rs. The Developer, Current and Future Property Owners shall adhere to the recommendations of the SUSMP, Drainage Report and CC&Rs approved for this project.

- HOA shall be responsible for the ongoing maintenance of landscaping and irrigation of slopes, parkways, and open space areas.
- c. Immediate removal of graffiti is required.
- All garage doors shall be automatic roll-up type doors and equipped with remote control devices.
- e. All landscaping and other exterior site improvements on-site shall be well maintained at all times in substantially the same condition as approved in accordance with the approved site and landscape plans.
- Maintain the drainage facilities and any access easements (where they occur) on the property.
- g. Identify and implement the BMP's set forth in the Standard Urban Stormwater Mitigation Plan (SUSMP) prepared for this project and state that the Developer, Current and Future Property Owners shall comply with the recommendations of the SUSMP prepared for this project to the satisfaction of the Water Quality Program Coordinator and the City Engineer.
- Funding of the long term maintenance of all facilities required by the SUSMP shall be included in the annual HOA budget.
- A long-term operation and maintenance program (OMP) will be a requirement and the responsibility of the Homeowners' Association (HOA) to maintain. Funding for the program is required to be accounted for in the annual budget of the HOA.
- All garages shall be available for required off-street parking at all times. Parking in the cul-de-sac, along one side of the private street and along Mount Vernon Street adjacent to Lot 9 is prohibited.
- k. Each lot shall be entirely landscaped, including rear and side yard areas, within one year of issuance of the certificate of occupancy.
- 58) The Declaration of Conditions, Covenants, and Restrictions (CC&Rs) shall clearly establish the responsibilities of the home owners with regard to the continuing maintenance and preservation of the buildings, driveways, public street, parkway, private street and drainage facilities (where they occur), slope banks, landscaping and irrigation. Said Conditions, Covenants and Restrictions shall give the City the right but not the duty to enter the premises to do maintenance and levy assessments if the home owners fail or refuse to maintain said facilities, and shall forbid amendments to the CC&Rs without express written consent of the City.
- 59) The subdivider shall comply with section 66436 of the Government Code by furnishing to the City Engineer a certification from each public utility and each public entity owning easements within the proposed subdivision stating that: a) they have received from the developer a copy of the proposed final map; b) they object to/do not object to the filing of the map without their signature; c) in the case of a street dedication affected by their existing easement, they will sign a "subordination certification" or "joint-use certificate" on the map when required by the governing body.

In addition, the subdivider shall furnish proof to the satisfaction of the City Engineer that no new encumbrances have been created that would subordinate the City's interest over areas to be dedicated for public road purposes since submittal of the tentative map.

- 60) The subdivider shall submit a title report for the property no more than 60 days in advance of the recordation of the Final Map to the City Engineer for review. The final map shall identify any easements indicated within the Title Report.
- 61) All plans and technical studies required to be submitted to City of Lemon Grove Engineering Services Department for review and approval shall be prepared by a California Registered Professional Engineer or applicable utility provider.
- 62) For any work within the public right-of-way, the subdivider shall secure an encroachment permit to work within the City right-of-way and place a special deposit with the City to ensure that any damage to the existing roadway or other public improvements is repaired in a timely manner.
- 63) The subdivider shall provide easements for the maintenance of all proposed landscaped areas on-site as required by the City Engineer and Community Development Department.
- Prior to building permit issuance and recordation of the final map, submit a maintenance agreement for the on-going maintenance of the private street, sewer, drainage facilities, landscaping, fencing and other facilities as specified, reviewed and approved by the City Engineer and Community Development Director. This maintenance agreement shall be adhered to by the HOA and incorporated into the CC&Rs to the satisfaction of the Community Development Director and City Engineer.
- 65) The subdivider shall provide the City Engineer with two reproducible Mylar copies of the final map for recordation.
- C. The protection of the public interest requires that the subdivider, contractors, builders, lot or parcel owners, and other person, firms and corporations concerned with the development of said subdivision conform to the following standards, and all permits required by the City of Lemon Grove will be issued pursuant to such standards:
 - All domestic water supplied for this subdivision shall come from the Helix Water District.
 - All buildings constructed in this subdivision shall be connected to the public sewer system of the Lemon Grove Sanitation District.
 - 3) The project shall comply with applicable provisions of the 2001 California Building Code which adopts the 1997 UBC, 2000 UMC, UPC, 2002 NEC & title 24 Energy Requirements.
 - Sewer and water lines shall not be laid in the same trench in any part of this subdivision.
 - 5) Proper drainage shall be maintained throughout this subdivision as to prevent ponding and/or storage of surface water and shall be in

compliance with the National Pollutant Discharge Elimination System (NPDES) permit to the satisfaction of the City Engineer.

- D. This approval of this tentative map will expire two years from the date of approval. The final map or maps conforming to this conditionally approved tentative map shall be filed with the City Council in time so that said Council may approve the map before this approval expires; unless prior to that date the Planning Commission or City Council subsequently grants a one-year time extension for obtaining such approval of said final map or maps as provided by the City Subdivision Ordinance.
- E. The subdivider shall indemnify, protect, defend, and hold harmless, the City and any agency thereof, and/or any of its officers, employees, and agents from any and all claims, actions, or proceedings against the City, or any agency or instrumentality thereof, or any of its officers, employees, or agents to attack, set aside, void, or annul, an approval of the City, or any agency or instrumentality thereof, advisory agency, appeal board, or legislative body, including actions approved by the voters of the City, concerning the project, City shall promptly notify the applicant/subdivider of any claim, action, or proceeding brought within this time period, and City shall further cooperate fully.

///// /////

November 6, 2007 by the following		of the City of Le	mon Grove, Cal	ifornia on		
COUNCILMEMBERS	AYES	NOES	ABSTAIN	ABSENT		
Mary Teresa Sessom	xx					
Thomas Clabby	xx					
Mary England	xx					
Jerry Jones	xx					
Jerry Selby	xx					
Mary THRESA SESSOM, Mayor						
Attest: SUSAN GARCIA, City Clerk						
<u>CE</u>	RTIFICATION	N OF CITY CLEF	<u>RK</u>			
I, Susan Garcia, City Clerk of the City of Lemon Grove, California do hereby certify the foregoing to be a true and exact copy of Resolution No. <u>2748</u> duly passed and adopted by the City Council of said City on the date and by the vote therein recited.						
e e	SUSAN G	ARCIA, City Cle	rk			